

Members

Sen. Sue Landske, Chairperson
Sen. Becky Skillman
Sen. Billie Breaux
Sen. Allie Craycraft
Rep. Thomas Kromkowski
Rep. Ed Mahern
Rep. Robert Behning
Rep. Kathy Kreag Richardson



CENSUS DATA ADVISORY COMMITTEE

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MEETING MINUTES¹

Meeting Date: October 16, 2003
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St., Room 431
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Sue Landske, Chair; Sen. Becky Skillman; Sen. Billie Breaux; Sen. Allie Craycraft; Rep. Thomas Kromkowski; Rep. Robert Behning; Rep. Kathy Kreag Richardson.

Members Absent: Rep. Ed Mahern.

(1) Call to Order.

The Chair, Senator Landske, called the meeting to order at 10:15 a.m.

(2) Review of PD 3021 (concerning ballot language for constitutional amendments) -- discussion only.

The Chair recognized Ms. Peggy Piety, Senior Staff Attorney, Legislative Services Agency, to discuss PD 3021.² Ms. Piety told the Committee that she had written a new draft of legislation for presentation of proposed amendments to the

1. Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

2. A copy of PD 3021 is Exhibit 1 to these Minutes.

Indiana Constitution to the voters at the November 2004 general election. A copy of the new draft (PD 3256)³ was distributed to Committee members. The new draft resulted from comments of the Code Revision Commission to PD 3021.

Ms. Piety briefly outlined the process for amending the Indiana Constitution under Article 16 of the Constitution and for submitting proposed amendments to the voters. She then discussed each of the three proposed questions contained in PD 3256.

The Committee had a detailed discussion of the first ballot question relating to election of a governor when both the Office of the Governor and the Office of the Lieutenant Governor are vacant. The discussion suggested that "Public Question #1" as drafted did not adequately reflect the actual text of the amendment as adopted in the joint resolutions because the amendment contemplated that the reason for the failure of either house of the General Assembly to assemble a quorum to elect a new governor was due to vacancies in legislative offices. Ms. Piety told the Committee she would redraft Public Question #1 and present the redraft to the Code Revision Commission.

(3) Review of PD 3279 (concerning various election law matters).

The Chair recognized Ms. Kristi Robertson and Mr. Brad King, Co Executive Directors of the Indiana Election Division, to present PD 3279.⁴

During presentation and discussion of the draft, the Committee decided to delete SECTIONS 1 through 3 and amend SECTION 6 to replace "2003" with "2007" and make related changes.

The Committee discussed SECTION 4 relating to training precinct election officers. Representative Behning and others were concerned that the proposed language in Section 4 would not be able to accommodate the replacement of a precinct election officer on the morning of an election. Other members expressed reservations about the scope of "emergency training course".

With respect to SECTION 22, Senator Craycraft asked about challenges to voters, particularly elderly voters, whose signatures had changed substantially since the time of registration. Ms. Robertson and Mr. King explained that Indiana election law provides that doubts about a voter's signature must be resolved in favor of the voter, that in determining whether a signature is valid election officials are required to account for the age or disability of the voter, and that precinct

3. A copy of PD 3256 is Exhibit 2 to these Minutes. Ms. Piety also distributed to the Committee copies of the following materials she prepared for the Code Revision Commission. The materials included the following: (1) A copy of the Legislative Council Resolution assigning preparation of proposed ballot language for the constitutional amendments to the Code Revision Commission. (2) A copy of each joint resolution adopting the various amendments to the Constitution. A copy of these materials is Exhibit 3 to these Minutes.

4. A copy of PD 3279 is Exhibit 4 to these Minutes.

election boards would take measures to attempt to verify that the voter was who the voter claimed to be. Staff referred the Committee to IC 3-5-6-2, IC 3-5-6-6, and IC 3-11-8-26 as support for these responses.

The Committee discussed federal requirements for voters who register by mail or who cast absentee ballots to provide identification.

Representative Richardson and Senator Skillman indicated uneasiness with the proposal in SECTION 24 to provide that certain individuals related to a candidate on the ballot in any part of the county would be disqualified from serving on an absentee ballot board or assisting in the counting of absentee ballots. The concern was expressed that in some counties, it might be difficult to find individuals with the requisite party affiliation to fill those roles. After discussion, the Chair asked Ms. Robertson and Mr. King to revise this proposal.

After discussion, the Committee directed removal of SECTION 34 of the draft concerning the jurisdiction of the State Recount Commission to handle legislative and Congressional recounts and contests. The discussion related to the constitutional authority of the Congress and the General Assembly to determine the election and qualifications of their respective members. The Committee agreed that while the Congress and the General Assembly undoubtedly have authority to judge the qualifications and election of members under the federal or Indiana constitution, information provided by the State Recount Commission in a contest or recount could be of use to either body in exercising its constitutional authority.

(4) Public Testimony.

The Chair recognized Ms. Julia Vaughn, representing Common Cause of Indiana, for remarks. Ms. Vaughn distributed materials from the Center for Public Integrity relating to reporting of campaign finance information.⁵ Ms. Vaughn mentioned the findings for Indiana in the report. She also stated that many election observers believe that after the federal McCain-Feingold legislation becomes effective next month, much more money will flow to state parties. She urged the Committee to consider improving Indiana law relating to disclosure of campaign finance information to the public.

(5) Other Committee Business.

There was no other business to come before the Committee.

5. A copy of these materials is Exhibit 5 to these Minutes.

(6) Select Next Meeting Date.

The next meeting of the Committee was set for November 10 at 10:00 a.m. The location of the meeting will be announced at a later date.

(7) Adjournment.

The Chair adjourned the meeting at approximately 11:50 a.m.